

**R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

**THE DRAWINGS**

Fig. 2 has been amended to correct the spelling of "CONTROL" as required by the Examiner. Submitted herewith is a corrected sheet of formal drawing which incorporates the amendment and annotated sheets showing the changes made thereto. No new matter has been added, and it is respectfully requested that the Examiner's objection to the drawings be withdrawn.

**THE CLAIMS**

Independent claim 1 has been amended to clarify that the image sensing device communicates with a recording unit that records photographed moving image data, as well as to clarify that the image sensing device of the present invention includes a display control unit which displays an arbitrary time position designated by the designation unit in correspondence with a bar of the moving image data, and an insert unit which inserts newly photographed image data at the arbitrary time position in the moving image data when the arbitrary time position is designated, as supported by the disclosure in the specification at page 14, lines 2-20.

Independent claims 7 and 15 have been amended in a similar manner to clarify the features of the image edit method and image edit program of the present invention whereby a designated arbitrary time position is displayed in correspondence with a bar of the moving image data, and newly photographed image data is inserted at the arbitrary time position in the moving image data when the arbitrary time position is designated.

In addition, claims 15-17 have been amended to better comply with the requirements of 35 USC 101, and the claims have also been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

Still further, claims 11-14 have been canceled, thereby obviating the Examiner's double patenting objection.

Yet still further, new claims 19-23 have been added to recite further features of the present invention which are supported by the disclosure in the specification at page 15.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

THE PRIOR ART REJECTION

Claims 1-18 were rejected under 35 USC 103 as being obvious in view of US 2001/0026644 ("Endo et al"). These rejections,

however, are respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in amended independent claims 1, 7 and 15, an image sensing device, an image edit method, and an image edit program are provided whereby (i) an arbitrary time position in moving image data is designated, (ii) the designated time position is displayed in correspondence with a bar of the moving image data, and (iii) newly photographed image data is inserted at the arbitrary time position in the moving image data when the arbitrary time position is designated.

That is the claimed present invention makes the arbitrary time position, at which newly photographed image data is to be inserted, correspond with a bar of the moving image data, and carries out display control when inserting the newly photographed image data in the moving image data.

With respect to the cited prior art, it is respectfully submitted that Endo et al merely teaches an image processing apparatus and an image processing method for inserting a desired image (i.e., still picture) into a desired portion of a frame image or a previously captured image (i.e., still picture) to enable synthesizing of the images. That is, Endo et al merely teaches editing a still picture by overlapping/overwriting a portion of the still picture with another still picture, and it

is respectfully submitted that Endo et al does not disclose, teach or suggest displaying a designated arbitrary time position in correspondence with a bar of the moving image data, and inserting newly photographed image data at the arbitrary time position in the moving image data when the arbitrary time position is designated, as according to the present invention as recited in amended independent claims 1, 7 and 15.

Accordingly, it is respectfully submitted that amended independent claims 1, 7 and 15, as well as claims 2, 3, 8, 9, 16, 17, and 19-23 respectively depending therefrom, all clearly patentably distinguish over Endo et al under 35 USC 103.

\* \* \* \* \*

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz  
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.  
220 Fifth Avenue - 16<sup>th</sup> Floor  
New York, New York 10001-7708  
Tel. No. (212) 319-4900  
DH:jd:jkr

2/10

FIG.2

